



WOODSTOCK POLICE SERVICE BOARD POLICY

Subject:	Disclosure of Personal Information
Policy Number:	AI-028
Effective Date:	October 8, 2024
Reviewed:	
Amended:	

Authority/Legislative References

Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1

Ontario Regulation 412/23 – Disclosure of Personal Information

Policy Statement

The Woodstock Police Service Board (the “Board”) prioritizes the safety of the community as the foremost consideration in decision-making. When determining the release of personal information, various factors must be evaluated within the relevant legislative framework to balance privacy concerns with the public interest. The Woodstock Police Service (the “Service”) must earn and uphold the community’s trust to effectively ensure public safety. Consequently, it is essential that the Service is perceived as acting in the public interest when disclosing personal information. This policy aims to foster accountability and consistency by setting clear criteria and conditions for the disclosure of personal information.

Policy Application

1. The Chief of Police (the “Chief”) shall ensure full compliance with section 80 of the *Community Safety and Policing Act* (the “Act”) and *Ontario Regulation*

412/23 – Disclosure of Personal Information (O. Reg. 412/23).

2. When deciding whether to disclose personal information, the Chief shall consider the following factors:
 - a. public safety;
 - b. protection of victims of crime;
 - c. law enforcement needs;
 - d. correctional purposes;
 - e. the administration of justice, including the conduct of civil proceedings;
 - f. enforcement of and compliance with any federal or provincial Act, regulation or government programs; and
 - g. informing victims of crime and the public about relevant law enforcement, judicial or correctional processes.
3. In addition, the Chief shall also consider:
 - a. available resources and information;
 - b. what is reasonable in the specific circumstances of the case; and
 - c. compliance with the law and public interest, ensuring that the resolution of criminal proceedings is not delayed.
4. The Chief or a designate may disclose any personal information about an individual if:
 - a. the individual has been convicted or found guilty of an offence under any federal or provincial law;
 - b. the Chief or designate reasonably believes the individual poses a

- significant risk to other persons or property; and
- c. the Chief or designate reasonably believes that the disclosure of personal information is necessary to reduce the risk described in clause b.
5. The Chief or designate may disclose the following personal information about an individual charged with, convicted of, or found guilty of an offence under any federal or provincial law:
- a. the individual's name, age, date of birth and address;
 - b. the offence in question and, if the individual has been convicted or found guilty of the offence, any sentence imposed;
 - c. the outcome of all judicial proceedings related to the offence;
 - d. the procedural stage of the criminal justice process, including custody status and terms of releases, if applicable;
 - e. the date of release or impending release of the individual from custody, including parole or temporary absence.
6. Upon request from a crime victim, the Chief or designate may disclose the following information about the accused:
- a. the progress of investigations that relate to the offence;
 - b. the charges laid or reasons for not laying charges;
 - c. the dates and locations of all proceedings related to the prosecution;
 - d. the outcome of all proceedings, including appeals;
 - e. any pre-trial arrangements related to any plea;
 - f. details of interim release or sentencing;

- g. any application for release, impending release or program of temporary absence, parole, or unescorted temporary absence if convicted;
 - h. any escape from custody;
 - i. if the individual is found unfit to stand trial or is found not criminally responsible due to mental disorder:
 - i. any disposition made under the Criminal Code (Canada); and
 - ii. any hearing held by the Review Board established or designated for Ontario under the Criminal Code (Canada).
 - iii. any disposition made under the Criminal Code (Canada); and
 - iv. any hearing held by the Review Board established or designated for Ontario under the Criminal Code (Canada).
7. The Chief or designate may disclose personal information about an individual who is under investigation, charged, convicted, or found guilty of an offence to:
- a. any police service in Canada;
 - b. any correctional or parole authority in Canada;
 - c. any person or agency involved in public protection or the administration of justice; or
 - d. any person or agency involved in law enforcement or compliance with any federal or provincial Act, regulation or government program.
8. When deciding whether to disclose personal information about an individual charged, but not convicted, the Chief or designate shall consider:
- a. whether the potential exists for unnecessary harm from public disclosure

- of personal information;
- b. whether the alleged offender is a repeat offender;
- c. whether releasing the information could advance the investigation or related investigations;
- d. whether the publication could help identify other potential victims.

Reporting

- 9. The Chief shall report to the Board on any matters of significant public interest as they arise in the application of this policy.